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Date: Oct. 28, 2008

Sean Mellino

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Gerd Ascher, et al.  
Serial No. : 10/510,532 (Conf. No. 8872)  
Filing Date : October 7, 2004  
Title : USE OF PLEUROMUTILINS FOR THE TREATMENT OF DISORDERS CAUSED BY HELICOBACTER PYLORI  
Group Art Unit : 1617  
Examiner : Deirdre Renee Claytor  
Attorney Docket : KS4255US (#90711)

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 CFR 1.97**

Mail Stop Amendment  
Commissioner for Patents  
P O Box 1450  
Alexandria, Virginia, 22313-1450

Dear Sir,

Under the provision of 37 C.F.R. 1.56, 1.97 and 1.98, Applicant would like to call the Examiner's attention to the reference listed on the attached Form PTO-1449, which has been cited in the prosecution of the corresponding German application upon which the present application claims priority. The reference is a U.S. patent reference, and so a copy is not enclosed herewith.

In accordance with 37 C.R.F. 1.97(c)(2), and as this Information Disclosure

Statement is being filed after the period specified in paragraph 37 C.R.F. 1.97(b), but the mailing date of any of a final action under, a notice of allowance under, or an action that otherwise closes prosecution in the application, the present filing is accompanied by requisite fee.

In accordance with 37 C.F.R. 1.97(g) and 37C.F.R.1.97(h), filing of this Information disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 34 C.F.R. 1.56(b).

The Examiner is requested to make the attached references of record and to consider these references along with such other references deemed pertinent as a result of the Examiner's own independent search and examination.

Respectfully submitted,

Date: 10/28/08



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